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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 3831/2025**

SH GYAN PARKASH AND ORS

.....Petitioners

Through: Mr Varun Jain and Mr. Saroj Kumar
Singh, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
along with SI Pushpinder Kaur.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

20.11.2025

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CRL.M.A. 34554/2025 & CRL.M.A. 34555/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. By way of the present petition, the petitioners are seeking quashing of FIR bearing no. 310/2024, dated 06.05.2024, registered at Police Station Aman Vihar, Delhi for the commission of offences punishable under Sections 323/341/354/34 of Indian Penal Code, 1860 (hereafter '*IPC*').
4. This Court notes that an FIR has already been registered against the other party and there is also a counter FIR in this case. The charge-sheet in this case has already been filed and the petitioner can take grounds, which he has taken before this Court when the arguments on charge are heard



before the learned Trial Court, since the main ground which is agitated before this Court is that the FIR was lodged in this case, which was not only delayed but also a counter-blast to the FIR bearing No.713/2023, registered under Sections 3(1)(r)(s) SC/ST Act, 1989 & Sections 323/341/34 of the IPC at Police Station Aman Vihar registered by the petitioners against the complainant.

5. As per the judgment of *State of Haryana & Ors. v. Ch. Bhajan Lal & Ors.*, 1992 Supp (1) SCC 335, an FIR in a case can be quashed on the following grounds:

““102. In the backdrop of the interpretation of the various relevant provisions of the Code under Chapter XIV and of the principles of law enunciated by this Court in a series of decisions relating to the exercise of the extraordinary power under Article 226 or the inherent powers under Section 482 of the Code which we have extracted and reproduced above, we give the following categories of cases by way of illustration wherein such power could be exercised either to prevent abuse of the process of any court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guidelines or rigid formulae and to give an exhaustive list of myriad kinds of cases wherein such power should be exercised.

(1) Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.

(2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.

(3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.

(4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.

(5) Where the allegations made in the FIR or complaint are so absurd and



inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.

(6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.

(7) Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.”

6. Considering the overall facts and circumstances of the case, no ground is made out by the petitioners for quashing of FIR in question. The petition is accordingly dismissed.

7. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 20, 2025/A/R